

ADDENDUM NO. 1

TO THE

REQUEST FOR PROPOSALS (RFP)

RELATING TO THE

FUELING FACILITY LEASE

AT

KALAELOA AIRPORT

KAPOLEI, ISLAND OF OAHU

WHEREAS, STATE believes that it is in the best interest of STATE and the State of Hawaii to lease such property at the Airport to LESSEE for such purposes.

NOW, THEREFORE, for and in consideration of the premises and of the mutual covenants and agreements, provisions, requirements, restrictions, terms, and conditions hereinafter to be kept and performed by STATE and LESSEE, respectively, and other valuable consideration, STATE does hereby grant, demise, and let unto LESSEE, and LESSEE does hereby lease and hire from STATE at or on the Airport, that certain parcel of land more particularly described in Article II. (Premises) hereof, STATE and LESSEE DO HEREBY AGREE AS FOLLOWS:

ARTICLE I. DEFINITIONS

Unless the context indicates otherwise, as used herein, the term:

- A. "ADA" means the Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq.
- B. "ADAAG" means the United States Access Board's ADA accessibility Guidelines for Buildings and Facilities, Transportation Facilities, and Transportation Vehicles.
- C. "Administrator" means the Airports Administrator of the Airports Division, Department of Transportation, State of Hawaii or the Administrator's designated representative.
- D. "Airport" means the Kalaeloa Airport, located in Kapolei, City & County of Honolulu, Island of Oahu, State of Hawaii.
- E. "County" means the City and County of Honolulu, State of Hawaii.
- F. "Department" means the State of Hawaii, Department of Transportation.
- G. "Director" means the Director of Transportation, State of Hawaii.
- H. "Environmental Laws" mean all federal, state, and local laws of every nature including statutes, ordinances, rules, regulations, codes, notices, standards, directives of every kind, guidelines, permits, licenses, authorizations, approvals, interpretations of the foregoing by any court, legislative body, agency or official, judicial decisions, judicial and administrative orders, rulings or judgments, or rules of common law which currently are in effect or which may come into effect through enactment, issuance, promulgation, adoption or otherwise, which in any way pertain to, relate to, or have any relevance to the environment, health or safety. These environmental laws include, but are not limited to, regulations and orders